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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,060	01/28/2004	Ming-Che Wu	4658-016	9451
22429 7590 05/01/2007 LOWE HAUPTMAN BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			EXAMINER TYLER, NATHAN K	
			ART UNIT 2609	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/765,060

Applicant(s)

WU, MING-CHE

Examiner

Nathan.K. Tyler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Suggestions*

1. The examiner suggests changing “displaying module” at line 4 of claim 2 to - - display module - - for improved clarity.

### *Claim Objections - 37 CFR 1.75(a)*

2. The following is a quotation of 37 CFR 1.75(a):

The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

3. Claims 1 and 18 are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Regarding **claim 1**, the term “said image” at line 5 lacks an antecedent basis. However, it appears from the context of the claim when read in light of the specification that “said image” is in fact referring to the “picture” first introduced at line 3 of the claim, and so “a picture” should instead read - - an image - -; and this will be assumed for examination purposes.

Regarding **claim 18**, the term “said camcorder module” at line 3 lacks an antecedent basis. However, it appears from the context of the claim when read in light of the specification that “said camcorder module” is in fact referring to the “photographing module” first introduced at line 9 of claim 13; and this will be assumed for examination purposes.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 are rejected under 35 U.S.C. 102(b) as being anticipated by Lichtfuss (US 2002/0080255 A1).

Regarding **claim 1**, Lichtfuss discloses a digital picture frame capable of picture acquisition, comprising a display module for displaying a picture (Fig. 3, numeral 32 “Display Device”); a scanning module for scanning a print to acquire the image of the print (numeral 60 “Image Acquisition Device”); an input/output module, connecting the display module and the scanning module (numeral 90 “Communications Module”) for outputting the image to a external display device (“the communications module 90 may take the form of a conventional connection port for coupling with a computer cable and the data corresponding to the scanned image may be sent, via the output connection path 94, to the connection port (communications module 90) and then to a personal computer via the computer cable (data link 18). In this manner, the scanned

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image may be viewed” at paragraph [0042]), and for inputting an auxiliary image from an external image module (“The communications module 90 may, for example, include both a radio frequency interface mechanism and a telephone modem. In this manner, the radio frequency interface mechanism could be used, for example, to obtain image data from a local source (e.g., a digital camera or a handheld scanner...” at paragraph [0044]).

Regarding **claim 2**, Lichtfuss discloses a memory module to store the image and the auxiliary image for transmitting to the displaying module (Fig. 3, numeral 80 “Main Memory”).

Regarding **claim 3**, Lichtfuss discloses a processor, connecting the display module, the scanning module and the input/output module for coordinating image data processing (Fig. 3, numeral 70 “Central Processing Unit”).

Regarding **claim 4**, Lichtfuss discloses a power supply module for supplying power to the digital picture frame for operation (with reference to Fig. 1 “Power cord 16 may, for example, be a conventional power cord designed to supply electrical power to the digital picture frame” at paragraph [0025]).

Regarding **claim 5**, Lichtfuss discloses that the external image module is an image-capturing device (see grounds for rejection for claim 1: “...e.g., a digital camera...”).

Regarding **claim 6**, Lichtfuss discloses that the image capturing device is a digital still camera (see grounds for rejection for claim 5).

Regarding **claim 8**, Lichtfuss discloses that the external image module is a card reader for reading a memory card (Fig. 3, numeral 100 “Memory Card Device”).

Regarding **claim 9**, Lichtfuss discloses that the external image module is a hard disk (“Data link 18 may, for example, be a telephone line or a cable linking the digital picture frame device 10, e.g., to a personal computer” at paragraph [0026]).

Regarding **claim 10**, Lichtfuss discloses that the external image module is a image server, accessible over a network connection (“The communications module 90 may, for example, include both a radio frequency interface mechanism and a telephone modem. In this manner... the modem could be used, for example, to obtain image data from a remote source via a telephone line (e.g., the internet)” at paragraph [0044]).

Regarding **claim 12**, Lichtfuss discloses that the display module is a liquid crystal panel display (“Display device 32 may, for example be a conventional LCD type display” at paragraph [0022]).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7, 11, 13, 14, 15, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Lichtfuss and Walker et al. (US 20060170669 A1).

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Regarding **claim 11**, Lichtfuss does not disclose that the external display device is a projector.

Walker discloses a digital picture frame that uses a projector as an external display device (“Various different types of display screens 104 may be used including... a LCD projector display” at paragraph [0036]; as the size of the digital picture frame is small “A digital picture frame of the present invention includes devices whose dimensions are similar to a conventional picture frame” at paragraph [0035], and a projector is rather large, it is clear that the projector disclosed by Walker would have to be external to the picture frame).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to connect a projector as taught by Walker to the digital picture frame taught by Lichtfuss, as a projector is capable of displaying images at a much larger size than other types of displays.

Regarding **claims 7, 13, and 18**, Lichtfuss discloses a digital picture frame capable of picture acquisition, comprising a processor connecting to a memory module for performing image processing (see grounds for rejection for claims 2 and 3); a display module connecting to the processor for displaying an image stored in the memory module (see grounds for rejection for claim 1); a scanning module scanning a print to acquire the image (see grounds for rejection for claim 1); a media reading module connecting to the processor for transmitting photo images stored in a memory card (see grounds for rejection for claim 8); a network module connecting to the processor for retrieving network images through a network image server (see grounds for

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rejection for claim 10); and a visual input/output module for inputting visual images from an external image device and for outputting the image to the external image device (see grounds for rejection for claim 1).

Lichtfuss does not disclose a photographing module connecting to the processor for delivering moving pictures or a camcorder which is connected with said camcorder module.

Walker discloses a digital picture frame which is connected to a camcorder (“a digital picture frame 100 may include a video camera” at paragraph [0090]).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to provide the digital picture frame taught by Lichtfuss with a video camera as taught by Walker, so that the digital picture frame could identify the current user of the picture frame (“Using image recognition software, the digital picture frame may recognize a user (e.g., based on his facial features) and identify him” at Walker paragraph [0090]).

Regarding **claims 14 and 15**, the combination of Lichtfuss and Walker as applied to claim 13 discloses a mass storage device/hard disk (see grounds for rejection for claim 9).

Regarding **claim 17**, the combination of Lichtfuss and Walker as applied to claim 13 discloses that the memory card is a compact flash card (“The digital picture frame device may also include a device for writing to and reading from memory cards, such as those useable in conjunction with many digital cameras” at Lichtfuss paragraph [0010]. Shono (US 6031998 A) teaches that compact flash cards are commonly used in conjunction with digital cameras: “The



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analog signals are converted to digital signals which are recorded in a memory means such as a compact flash memory card” at column 1, line 13).

Regarding **claim 19**, the combination of Lichtfuss and Walker as applied to claim 13 discloses that the media reading module is a card reader (see grounds for rejection for claim 8).

Regarding **claim 20**, the combination of Lichtfuss and Walker as applied to claim 13 discloses that the external image device a still digital camera (see grounds for rejection for claim 6).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Lichtfuss and Walker as applied to claim 13 above, and further in view of Belz et al. (US 20030090572 A1).

Regarding **claim 16**, the combination of Lichtfuss and Walker as applied to claim 13 does not disclose that the external image device is a television.

Belz discloses a digital camera that may be used as a digital picture frame (It is another object of the present invention to provide a digital camera having a large color image display that is used with a docking unit to provide an attractive looking digital picture frame” at paragraph [0011]) and can use a television as an external display device (“The digital camera 300 can also include a video output driver and connector (not shown) for displaying the captured images on a TV (not shown)” at paragraph [0058]).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to use a TV as taught by Belz as an external display device for the digital picture frame

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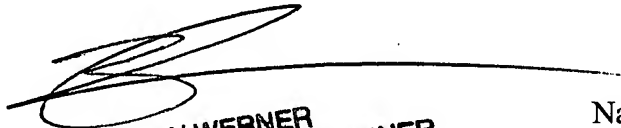
taught by Lichtfuss and Walker, in order to view the images stored on the digital picture frame at a larger size than a conventional picture frame.

*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan K. Tyler whose telephone number is 571-270-1584. The examiner can normally be reached on M-F 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on 571-272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**BRIAN WERNER**  
**SUPERVISORY PATENT EXAMINER**

Nathan K Tyler  
Examiner  
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